



Entered on Docket
September 27, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Sixth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Brookmere Matteson Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Sixth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Brookmere Matteson Loan," ("Brookmere Matteson Loan") [DE 8659] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that

1 the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right
2 to repayment by the borrower or from the collateral securing the Brookmere Matteson
3 Loan; and good cause appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8659] is sustained; and
6 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
7 claims are based upon an investment in the Brookmere Matteson Loan.
8

9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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UNIVERSITY TRUST
Brookmere/Matteson
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Brookmere/Matteson \$27,050,000 Loan
10725-02292	1/12/2007	Helms Homes LLC	Terry Helms 809 Upland Blvd Las Vegas, NV 89107-3719	12,697,934.44	48,967.22
10725-00953	11/2/2006	Hermaine & Seymour Hinden Living Trust Dtd 2/22/00	C/O Hermaine & Seymour Hinden Ttees 2721 Orchid Valley Dr Las Vegas, NV 89134-7327	40,000.00	30,000.00
10725-02212	1/12/2007	Jillian Campbell & Patsy Rieer Jt Ten	2024 Douglas Rd Stockton, CA 95207	78,592.12	3,672.54
10725-01242	11/10/2006	Johnson Family Trust Dtd 2/17/98	20802 N. Grayhawk Drive, #1035 Scottsdale, AZ 85255	Unknown	Unknown
10725-01660	12/9/2006	Kehl, Robert J & Ruth Ann	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,841,680.13	244,838.00
10725-02339	1/16/2007	Krynzel Individually & As Managing, David B	*Undeliverable* Partner Of Gold Runner LLC 6090 Allred Place #102 Henderson, NV 89011	57,374.31	37,374.31
10725-00839	11/13/2006	Liem Family Trust	The Liem Family Trust 3324 East Valley Vista Lane Paradise Valley, AZ 85253-3739	106,164.59	6,164.59
10725-01280	11/10/2006	Liem Family Trust	The Liem Family Trust 3324 East Valley Vista Lane Paradise Valley, AZ 85253-3739	106,164.59	6,164.59
10725-01549	12/6/2006	Loughlin Family Trust	C/O Richard J. & Roberta L. Loughlin PMB 107 3212 Jefferson St. Napa, CA 94558-3436	27,000.00	Unknown
10725-01035	11/6/2006	Loughlin Family Trust	C/O Richard J. & Roberta L. Loughlin PMB 107 3212 Jefferson St. Napa, Ca 94558-3436	1,116,400.00	Unknown

EXHIBIT A